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10 UNITED STATES DISTRICT COURT
11 WESTERN DISTRICT OF WASHINGTON
12 AT TACOMA

13 MICHAEL A. JACKSON,

14 Plaintiff,

15 v.

16 TAYLOR YOUNG *et al.*,

17 Defendants.

18 Case No. C07-5480RBL/JKA

19 ORDER FOR ADDITIONAL
20 BRIEFING

21 This Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28
22 U.S.C. § 636(b)(1)(B). Before the court is plaintiff's motion asking for a Fed. R. Civ. P. 35 mental health
23 examination. Defendants correctly note that plaintiff appears to misunderstand the nature of Fed. R.Civ. P.
24 35. This rule is not normally used unless the party that is to be examined objects to the examination. The
25 court has questions regarding plaintiff's ability to contest the finding made by defendants that he is mentally
26 ill.

27 The court orders defendants to file additional briefing explaining the process used in finding plaintiff
28 mentally ill. This briefing should include an explanation of what rights plaintiff has to object to or contest
to his diagnosis.

1 The additional briefing will be due on or before **March 21, 2008**. After receiving this briefing the
2 court will decide on whether or not to appoint plaintiff an independent mental health expert.

3 The Clerk is directed to send a copy of this Order to plaintiff and renote Dkt. # 47 for **March 21,**
4 **2008.**

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6 DATED this 22 day of February, 2008.

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8 /S/ J. Kelley Arnold
9 J. Kelley Arnold
United States Magistrate Judge

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